

1
2
3
4
5
6
7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 CORTEZ DAUNDRE JONES,

CASE NO. C23-1366JLR

11 Plaintiff,

ORDER

12 v.

13 BEHAVIORAL HEALTH, et al.,

14 Defendants.

15 Before the court is United States Magistrate Judge Brian A. Tsuchida's report and
16 recommendation, in which Judge Tsuchida recommends that the court deny Plaintiff
17 Cortez Daundre Jones's application to proceed *in forma pauperis* ("IFP") and dismiss this
18 matter without prejudice for failure to state a claim. (R&R (Dkt. # 4); *see* IFP App. (Dkt.
19 # 1); Prop. Compl. (Dkt. # 1-2).) Mr. Jones did not file objections before the October 10,
20 2023 deadline set in Magistrate Judge Tsuchida's report and recommendation. (R&R at
21 3; *see* Dkt.)

1 A district court has jurisdiction to review a Magistrate Judge’s report and
2 recommendation on dispositive matters. Fed. R. Civ. P. 72(b). “A judge of the court
3 may accept, reject, or modify, in whole or in part, the findings or recommendations made
4 by the magistrate judge.” 28 U.S.C. § 636(b)(1). “The statute makes it clear that the
5 district judge must review the magistrate judge’s findings and recommendations *de novo*
6 *if objection is made*, but not otherwise.” *United States v. Reyna-Tapia*, 328 F.3d 1114,
7 1121 (9th Cir. 2003) (en banc) (emphasis in original). Here, Mr. Jones did not file
8 objections to Magistrate Judge Tsuchida’s report and recommendation, and the court
9 independently agrees with the analysis set forth in that report and recommendation.
10 Therefore, the court ORDERS as follows:

II

1. The report and recommendation (Dkt. # 4) is ADOPTED;
 2. Mr. Jones's application to proceed *in forma pauperis* (Dkt. # 1) is DENIED;
 3. This case is DISMISSED without prejudice; and
 4. The Clerk is DIRECTED to provide a copy of this order to Mr. Jones.

Dated this 13th day of October, 2023.

 Jim R. Blint

JAMES L. ROBART
United States District Judge